

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|                                  |   |                             |
|----------------------------------|---|-----------------------------|
| DAMON ATKINS,                    | : |                             |
| Plaintiff,                       | : |                             |
|                                  | : |                             |
| v.                               | : | Civil No. 5:23-cv-02732-JMG |
|                                  | : |                             |
| CITY OF READING, <i>et al.</i> , | : |                             |
| Defendants.                      | : |                             |

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**ORDER**

**AND NOW**, this 29<sup>th</sup> day of July 2024, upon consideration of Plaintiff's Motion for Partial Summary Judgment (ECF No. 25), Plaintiff's Statement of Undisputed Material Facts in Support of Motion for Partial Summary Judgment (ECF No. 24), Defendants' Response in Opposition (ECF No. 27), and Defendants' Response in Opposition re Statement of Undisputed Material Facts (ECF No. 28), **IT IS HEREBY ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

1. Summary judgment as to liability on Plaintiff's Fourth Amendment claim is **GRANTED**.
2. Summary judgment as to liability on Plaintiff's False Imprisonment claim is **GRANTED**.
3. Summary judgment as to liability on Plaintiff's Assault and Battery claim is **GRANTED**.
4. Summary judgment on Plaintiff's First Amendment Retaliation claim is **DENIED**, as it pertains to the causal connection element.
5. Summary judgment on Plaintiff's Malicious Prosecution claims is **DENIED**.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge